

1 T. Scott Tate (Bar No. 118427)
2 Gregory C. Nuti (Bar No. 151754)
3 Melissa S. Lor (Bar No. 245515)
4 Schnader Harrison Segal & Lewis LLP
5 One Montgomery Street, Suite 2200
6 San Francisco, CA 94104-5501
7 E-mail: state@schnader.com
8 E-mail: gnuti@schnader.com
9 E-mail: mlor@schnader.com
10 Telephone: 415-364-6700
11 Facsimile: 415-364-6785

12 Arlene M. Embrey (Fl Bar No. 125539)
13 Trial Attorney, Office of General Counsel
14 U.S. Small Business Administration
15 409 3rd Street, S.W.
16 Washington, D.C. 20416
17 Email: arlene.embrey@sba.gov
18 Telephone (202) 205-6976
19 Facsimile (202) 481- 0324

20 Attorneys for Plaintiff United States Small Business
21 Administration in its capacity as Receiver for Rocket
22 Ventures II SBIC, L.P.

23 UNITED STATES DISTRICT COURT
24 NORTHERN DISTRICT OF CALIFORNIA
25 SAN FRANCISCO DIVISION

26 United States Small Business Administration in
27 its capacity as Receiver for Rocket Ventures II
28 SBIC, L.P.,

Plaintiff,

vs.

29 Rocket Ventures II, L.P., a California limited
30 partnership; Rocket Ventures II CEO Fund, L.P.,
31 a California limited partnership; Rocket
32 Ventures SBIC Partners, LLC, a Delaware
33 limited liability company; Cordusio Societa
34 Fiduciaria Per Azioni Lozia Federico; Kenneth
35 W. & Melissa Baldwin; Paul Cantwell; Peter
36 Ayrton Cheese; Yves Derville; Richard S.
37 Cuccioli; Alistair Anderson Donald; Philippe
38 Gire; Jean-Claude Guez;

Case No.: CV-10-4425

**JOINT STIPULATION AND
[PROPOSED] ORDER TO CONTINUE
TRIAL, DISCOVERY, AND RELATED
DATES IN LIGHT OF ADDITION OF
NEW DEFENDANTS.**

29 **CAPTION CONTINUED ON NEXT PAGE**

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2
3 Joseph Hawes & Christopher Eyden; Alan John
4 Healey; Craig Foster Heimark; David E. Kropp;
5 Gregory Charles Meekings; Michele Liberato;
6 Fred Cucchi; ValorLife; Alberto Gandini; Rijete
7 Pty. Ltd.; Christopher Stainton; Tyna
8 Development; Thomas Tynan; Patrice Vinet;
9 Hahei Limited; Michel Saunier; Michel
10 Roujansky; Nigel Backwith; Justine Lumb;
11 Andrew Middleton; Ajmair Singh Bhullar;
12 Estate of Grant A. Dove; Luca Casiraghi; David
13 Mather,
14
15 Defendants.

16 As the Plaintiff Receiver for Rocket Ventures II SBIC L.P. ("the Receiver") has now
17 finished its investigation of amounts due and owing by the Class B Limited Partners of the
18 Parent Fund Defendants Rocket Ventures II L.P. and Rocket Ventures CEO Fund, L.P., and

19 As the Receiver has now demanded payment from the Class B Limited Partners of the
20 Defendants; and

21 As the Class B Limited Partners have not remitted payment of the outstanding Demands;
22 and

23 As the Receiver was authorized "to prosecute claims against any Class B Limited
24 Partners by amendment to Complaint against the Defendants without further order of this Court"
25 pursuant to the September 2, 2010, Order in the Receivership Action modifying the stay of
26 proceedings ("Lift Stay Order ¶ 2(e)"); and

27 As the Receiver has now filed and served its Amended Complaint naming Thirty Three
28 (33) Class B Limited Partners as Defendants in this matter; and

29 As the Amended Complaint was authorized by the Lift Stay Order, but is contrary to the
30 current scheduling Order entered August 1, 2011; rather than file a separate proceeding (possibly
31 related and later consolidated) or independent action requiring additional attention to ensure
32 consistent process; and

1 As the Defendants identified below have agreed to the amendments to the complaint and
2 extension of the related deadlines so that it is not faced with a multiplicity of actions, increased
3 attorneys' fees and costs, as well as other potential inefficiencies; and

4 For these reasons, as well as the reasons set forth more fully in the Stipulation To
5 Continue Trial, Discovery, and Related Dates and Declarations of Richard Moser and T. Scott
6 Tate, Plaintiff and Defendants identified below stipulate to the Continuance of the Trial,
7 Discovery and Related Dates.

8 IT IS HEREBY STIPULATED AND AGREED THAT:

9 1. The Trial, currently set for November 5, 2012, shall be continued to June ¹⁰ 3, 2013;
10 at 8:00 a.m.;

11 2. Close of Percipient Witness Discovery to be Continued to August 10, 2012;
12 3. Dispositive Motions to be ~~Filed~~ ^{heard} on or before February ²² ~~18~~, 2013;
13 4. Pretrial Conference to be held on May 20, 2013; and
14 5. ~~Joint Supplemental Case management Statement due on June 11, 2013.~~

15 So Stipulated.

16 Dated: January 24, 2012

SCHNADER HARRISON SEGAL & LEWIS LLP

17
18 By: /s/ T. Scott Tate
19 T. Scott Tate
20 Attorneys for Plaintiff
21 United States Small Business
22 Administration in Its Capacity as Receiver
23 for Rocket Ventures II SBIC, L.P.

24 Dated: January 24, 2012

25 U.S. SMALL BUSINESS ADMINISTRATION

26
27 By: /s/ Arlene M. Embrey
28 Arlene M. Embrey
Office of General Counsel
Attorneys for Plaintiff,
United States Small Business
Administration in its capacity as Receiver
for Rocket Ventures II SBIC, L.P.

1 Dated: January 24, 2012

2 Cooley LLP

3 By: /s/ Gordon C. Atkinson

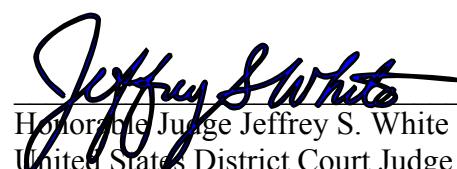
4 Gordon C. Atkinson

5 Counsel for Rocket Ventures SBIC Partners,
LLC; Rocket Ventures II CEO Fund, L.P.;
6 and Rocket Ventures II, L.P.

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8 PURSUANT TO STIPULATION, ~~IT IS SO ORDERED~~: AS MODIFIED ABOVE, IT IS SO
9 ORDERED.

10 Dated: January 31, 2012

11 
12 Honorable Judge Jeffrey S. White
13 United States District Court Judge

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SCHNADER HARRISON SEGAL & LEWIS LLP
601 CALIFORNIA STREET, SUITE 1200
SAN FRANCISCO, CA 94108-2817
(415) 364-6700
FAX: (415) 364-6785